

The Orissa Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 5 CUTTACK, WEDNESDAY, JANUARY 2, 2008 / PAUSA 12, 1929

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 11th December 2007

No. 13279-li/1(J)-4/2006-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 22nd June 2007 in Industrial Dispute Case No. 5 of 2006 of the Presiding Officer, Labour Court, Jeypore to whom the industrial dispute between the Management of the Managing Director, SOUTH Co., Berhampur, Ganjam/Executive Engineer, Berhampur Electrical Division, SOUTH Co., Berhampur, Ganjam and its Workman Shri E. Bhagirathi represented through the President Bidyut Khetra Karmachari Sangha, Berhampur, Ganjam was referred for adjudication is hereby published as in the Schedule below :

SCHEDULE
IN THE COURT OF THE PRESIDING OFFICER
LABOUR COURT, JEYPORE, KORAPUT
INDUSTRIAL DISPUTE CASE NO. 5 OF 2006
Dated the 22nd June 2007

Present:

Shri G. K. Mishra, o.s.j.s. (Jr. Branch)
Presiding Officer, Labour Court,
Jeypore, Dist. Koraput.

Between:

The Managing Director, ... First Party—Management No. I
SOUTH Co. Court Petta,
At/P.O. Berhampur, Dist. Ganjam.

The Executive Engineer, ... First Party—Management No. II
Berhampur Electrical Division
SOUTH Co. Court Petta,
At/P.O. Berhampur, Dist. Ganjam.

Versus

Its Workman ... Second Party—Workman
Shri E. Bhagirathi, Watchman
Represented through
The President Bidyut Khetra
Karmachari Sangha, Berhampur,
At/P.O. Berhampur, Dist. Ganjam.

Under Sections 10 and 12 of the Industrial Disputes Act, 1947

Appearances :

For the Management Nos. I & II	..	None
For the Workman	..	None
Date of Award	..	22-6-2007

The Government of Orissa in the Labour & Employment Department in exercise of the powers conferred upon them under sub-section (5) of Section 12, read with Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following disputes vide their Order No. 2918(5), dated the 31st March 2006 for adjudication of the following dispute :

SCHEDULE

"Whether the demands of the Union regarding regularisation of services of Shri E. Bhagirathi, Watchman by the Managing Director, SOUTH Co., Berhampur/ Executive Engineer, Berhampur Electrical Division SOUTH Co., Berhampur is legal and/or justified ? If not, to what relief is the workman Shri E. Bhagirathi entitled ?"

AWARD

2. The workman is absent and has failed to provide claim statement as per the mandate given by the State Government. However, for the interest of justice notice has been issued by the Court for filing claim statement by extending further time as stipulated. The notice by Registered Post has been issued as reveals from the postal receipt attached in the record. Presumption can be drawn that it has been properly despatched and received by the workman. Notice issued, dated the 22nd June 2006 is considered to be sufficient. One year seems to have been elapsed in the meantime by granting time. No response is meted out by the workman. No further adjournment will make it fruitful. Hence in the absence of the claim statement it is not expedite, for the interest of justice to pass any award as referred and required by the Government.

Hence 'No Dispute Award' is passed accordingly.

Dictated and corrected by me.

G. K. MISHRA

22-6-2007

Presiding Officer

Labour Court, Jeypore, Koraput

G. K. MISHRA

22-6-2007

Presiding Officer

Labour Court, Jeypore, Koraput

By order of the Governor

P. MALLICK

Under-Secretary to Government